

**PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
(703) 746-4000**

or **Fax**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590

06/02/2004



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Barbara Haggerty

(Depositor's name)

*Barbara Haggerty*

(Signature)

July 26, 2004

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,833	02/22/2002	Jacques Alain Deverin	H 5369 US	3113

TITLE OF INVENTION: OPTICAL INSTRUMENT HAVING A BINOCULAR VIEWING PORT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	09/02/2004
EXAMINER		ART UNIT	CLASS-SUBCLASS		
NGUYEN, THONG Q		2872	359-402000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

1 Hodgson Russ LLP

2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Leica Microsystems (Schweiz) AG

Heerbrugg, Switzerland

Please check the appropriate assignee category or categories (will not be printed on the patent);  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee  
 Publication Fee  
 Advance Order - # of Copies 10

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)  (Date) 7/26/2004

George L. Snyder, Jr., Reg. #37,729

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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07/29/2004 SHASSEN2 00000031 10081833

01 FC:1501	1330.00	OP
02 FC:1504	300.00	OP
03 FC:8001	30.00	OP

**FEE TRANSMITTAL**  
**for FY 2004**

Effective 01/01/2003. Patent Fees are subject to annual revision.

JUL 28 2004  
U.S. PATENT & TRADEMARK OFFICE Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,660.00)

Application Number	10/081,833
Filing Date	02/22/2002
First Named Inventor	Jacques Alain Deverin
Examiner Name	Thong Q. Nguyen
Group/Art Unit	2872
Attorney Docket Number	33997.0005

**METHOD OF PAYMENT (check all that apply)**

Check  Credit Card  Money Order  Other  None

Deposit Account: Deposit Account Number: 08-2442  
Deposit Account Name: Hodgson Russ LLP  
The Director is hereby authorized to (check all that apply)

Charge fee(s) indicated below  
 Charge any fee deficiencies or credit any overpayments  
 Charge any additional fees during pendency of this application.  
 Charge fees indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION (continued)**

3. ADDITIONAL FEES					
<u>Large Entity</u>		<u>Small Entity</u>			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	\$
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$
1053	130	1053	130	Non-English specification	\$
<b>FEE CALCULATION</b>		1812	2,520	For filing a request for <i>ex parte</i> reexamination	\$
<b>1. BASIC FILING FEE</b>		1804	920*	Requesting Publication of SIR prior to Examiner Action	\$
<u>Large Entity</u> <u>Small Entity</u>		1805	1,840*	Requesting Publication of SIR after Examiner Action	\$
Fee Code (\$)	Fee Code (\$)	Fee Paid	Fee Description		
1001 770 2001 385 Utility filing fee	\$	1251	110	2251 55 Extension for reply within first month	\$
1002 340 2002 170 Design filing fee	\$	1252	420	2252 210 Extension for reply within second month	\$
1003 530 2003 265 Plant filing fee	\$	1253	950	2253 475 Extension for reply within third month	\$
1004 770 2004 385 Reissue filing fee	\$	1254	1,480	2254 740 Extension for reply within fourth month	\$
1005 160 2005 80 Provisional filing fee	\$	1255	2,010	2255 1,005 Extension for reply within fifth month	\$
<b>SUBTOTAL (1)</b>		\$0	1401	330 2401 165 Notice of Appeal	\$
<b>2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE</b>		Fee Paid	Fee Description		
Extra Fee from Claims below		1402	330	2402 165 Filing a brief in support of an appeal	\$
Total Claims / / - 20** = / 0 / x / 18 / =	\$	1403	290	2403 145 Request for oral hearing	\$
Independent Claims / / - 3** = / 0 / x / 86 / =	\$	1451	1,510	1451 1,510 Petition to institute a public use proceeding	\$
Multiple dependent / / x / / =	\$	1452	110	2452 55 Petition to revive - unavoidable	\$
<u>Large Entity</u> <u>Small Entity</u>		1453	1,330	2453 665 Petition to revive - unintentional	\$
Fee Code (\$)	Fee Code (\$)	Fee Paid	Fee Description		
1501	1,330	2501	665	10 advance copies Utility issue fee (or reissue)	\$30 \$1330
1202 18 2202 9 Claims in excess of 20		1502	480	2502 240 Design issue fee	\$
1201 86 2201 43 Independent claims in excess of 3		1503	640	2503 320 Plant issue fee	\$
1203 290 2203 145 Multiple dependent claim if not paid		1460	130	1460 130 Petitions to the Commissioner	\$
1204 86 2204 43 **Reissue independent claims over original patent		1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	\$
1205 18 2205 9 **Reissue claims in excess of 20 and over original patent		1806	180	1806 180 Submission of Information Disclosure Statement	\$
<b>SUBTOTAL (2)</b>		\$0	8021	40 8021 40 Recording each patent assignment per property (times number of properties)	\$
<b>SUBMITTED BY:</b> George L. Snyder, Jr. Reg. No. 37,729		1809	770	2809 385 Filing a submission after final rejection(37 CFR 1.129(a))	\$
<b>SIGNATURE</b> 		1810	770	2810 385 For each add'l invention to be examined(37 CFR 1.129(b))	\$
DATE: July 26, 2004 Telephone: (716) 848-1545		1801	770	2801 385 Request For Continued Examination (RCE)	\$
		1802	900	1802 900 Request for Expedited Examination of a design application	\$
Other fee (specify) <u>Publication Fee</u>					\$300
*Reduced by basic filing fee paid				<b>SUBTOTAL (3)</b>	\$1660

I hereby Certify that this Correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on July 26, 2004.Barbara Haggerty  
Name

Signature

July 26, 2004  
Date of Signature

BFLODOCS: 947968